

memorandum

DATE: May 8, 2012

TO: Michael S. Flad, City Manager

FROM: Greg Herrmann, Community Development Director,
Via: Michael D. Forbes, Assistant Community Development Director,
Transportation and Planning
by Martin Potter, Planning Technician

**SUBJECT: Project No. 12-0000482 - Zone Text Amendment
Comprehensive Update to the Zoning Use List**

PURPOSE:

The purpose of this report is for the City Council to consider an ordinance approving a Zone Text Amendment (ZTA) to update the Zoning Use List in Burbank Municipal Code (BMC) Section 10-1-502 and the definitions in Section 10-1-203. The proposed ZTA would make the Zoning Use List easier for the public to understand, search through, and interpret.

BACKGROUND:

Burbank's Zoning Use List details what uses are permitted in non-residential zones and what approvals are required, if any, such as a Conditional Use Permit (CUP) (Exhibit A).

Staff regularly receives complaints from the public about how the Zoning Use List is organized, how difficult it is to determine where their business would be allowed, and questions about why their business is not permitted in some zones while similar businesses are. Staff noted that many cities have updated their Zoning Use Lists in recent years as a way to untangle burdensome rules and regulations and stimulate economic development (Exhibit B). In 2010, staff initiated a systematic update of the Zoning Use List in order to rectify these problems and bring the Zoning Use List up-to-date with modern business practices. In November 2010, a ZTA was approved that reorganized uses into ten general categories. In March 2011, a ZTA was approved that updated the Industrial & Manufacturing category. In July 2011, the City Council considered a ZTA updating the Retail Sales and Dining, Professional Offices and Services, and Medical and Care categories. At that time, the Council directed staff to conduct additional outreach, as the proposed changes could have unforeseen and unintended consequences. Staff has completed this outreach and modified the original recommendation, which has resulted in the proposed ZTA.

ANALYSIS:

Historically, the City has added new uses to the Zoning Use List as needed, but has not regularly taken the time to consolidate and/or revise existing uses or remove outdated uses. This has resulted in a document that contains many unnecessarily specific uses, many of which do not reflect modern business practices. For example, the recent ZTA to update the Industrial and Manufacturing category reduced the number of uses from 127 down to 15 and provided definitions for each in order to limit ambiguity. Staff believes that the remainder of the Zoning

Use List may be simplified along these lines. While some level of specificity will always be necessary, staff believes that refining the Zoning Use List to contain broader uses with clear definitions will result in a document that is easier for the public to understand, search through, and interpret.

Proposed Changes:

Exhibit C illustrates the proposed land uses and the existing uses proposed to be consolidated; the final product is provided as Exhibit D. A table of all proposed zoning changes was prepared as a result of comments received during outreach and distributed to the Chamber of Commerce, Burbank Association of Realtors, and the Rancho Review Board. The table essentially restates the proposed Zoning Use List in a text format and contains staff's rationale for each proposed change (Exhibit E). The following is a breakdown of each category of the Zoning Use List. A sample of how uses would be consolidated is provided for each category below.

Residential and Lodging

The Residential and Lodging category encompasses a small number of residential uses that are permitted in commercial and industrial zones. After reviewing the existing uses within this category, staff discovered two uses that may be consolidated. The proposed use to be created is:

- Hotel/Motel

The proposed "Hotel/Motel" use would combine two existing uses, "Hotel – including incidental commercial uses" and "Motel". The zoning for these two uses is nearly identical, and the land use impacts associated with both uses are substantially similar. These uses would continue to be permitted, with only minor zoning changes that are consistent with the land use categories designated in the General Plan and the BMC Zoning Map.

Additionally, the existing "Residential only (pursuant to the Burbank Center Plan)" use, which is currently permitted by-right, is proposed to require a CUP in order to accurately reflect the property development standards within the Burbank Center Plan (BMC Section 10-1-2528).

Public and Semi-Public Facilities

The Public and Semi-Public Facilities category contains uses that are typically municipally owned and/or operated, or are uses that may experience high volumes of patrons and which cannot be classified in another category. After reviewing the existing uses within this category of the Zoning Use List, staff noted two uses which may be consolidated. The proposed use to be created is:

- Library

The proposed "Library" use would combine two existing uses, "Library" and "Library – municipal". The zoning for these uses is nearly identical, and the land use impacts associated with both uses is also expected to be nearly identical. The uses would continue to be permitted

with only minor zoning changes that are consistent with the land use categories designated in the General Plan and the BMC Zoning Map.

Recreation, Education, and Assembly

The Recreation, Education, and Assembly category contains uses that may be municipally owned and/or operated, or are privately-owned uses that may receive high volumes of patrons and which cannot be classified in another category. After reviewing the existing uses within this category of the Zoning Use List, staff noted a number of uses which may be consolidated. The proposed uses to be created are:

- Amusement/Recreation – Commercial
- Equestrian Recreation
- Places of Assembly
- Sports Arenas & Fields

The simplest example of how uses would be consolidated in this category is in the proposed “Equestrian Recreation” use, which would encompass two existing uses: “Equestrian show” and “Riding academy”. The zoning for both uses is identical, and the land use impacts for both uses are expected to be nearly identical. Therefore, no changes would be required in this case, and the proposed new use would remain consistent with the land use categories designated in the General Plan and the BMC Zoning Map.

A more complex example of consolidation is in the proposed “Amusement/Recreation – Commercial” use, which consolidates 17 recreational uses into one. Many of these uses are inconsistent in their zoning, but can be made more consistent through consolidation. For example, two existing uses are “Archery range – in c.e.b.” and “Archery range”. The first use is limited to being within a completely enclosed building, while the second use may be an outdoor, open-air archery range. However “Archery range – in c.e.b.” is only permitted in three zones, none of which overlap with the more intensive “Archery range”, which is allowed in nine zones. This means that if a business owner wanted to open an indoor archery range, they would be limited to the C-3, C-4, and C-R zones, and prohibited from opening in the M-1, M-2, MDC-3, MDC-4, BCCM, MPC-2, MPC-3, AP, and RR zones, even though an open-air archery range would be allowed there.

Staff believes that less intensive uses should be allowed in zones where more intensive versions of the same use are also allowed. The proposed consolidation addresses this inconsistency by recognizing that an indoor archery range has less significant impacts than an unenclosed one, and that consolidating these uses is a logical way to simplify the Zoning Use List.

Retail Sales and Dining

The Retail Sales and Dining category contains commercial uses that typically experience moderate to high volumes of patrons and which provide shopping and/or dining experiences for customers. After reviewing the existing uses within the Retail Sales and Dining category, staff explored ways to consolidate many similar uses into a few broader use types. The proposed uses to be created are:

- Building Material Sales
- Retail Sales – General
- Retail Sales – Outdoor
- Secondhand Store
- Wholesale Business

For example, “Retail store/sales” is an existing use which is permitted by-right in the majority of commercial zones throughout the city. However, the Zoning Use List also contains a range of highly specific retail uses, all with differing zoning requirements and no definitions.

Examples of these specific retail uses include: “Appliance store”, “Awning shop”, “Clothing store”, “Drugstore”, “Florist shop”, “Hardware store” and “Picture frame store”. Staff realized that these uses were differentiated only by the types of products they sold, instead of the actual use. Since a general retail use already exists and is permitted by-right in many zones, it is possible to consolidate the other retail types into that use. Therefore, staff proposes to consolidate all of these retail uses into one general retail use, with the same zoning requirements as “Retail store/sales”. Any zoning changes that would occur would remain consistent with the land use categories designated in the General Plan and the BMC Zoning Map.

Additionally, staff is proposing to move “Boat dealer”, which had originally been placed under this category, to the Vehicle Related category.

Professional Offices and Services

The Professional Offices and Services category consists of businesses that provide a wide array of services and employment. While reviewing the existing uses, staff noted a number of opportunities for consolidation. The proposed uses to be created are:

- Animal Services
- Farrier/Blacksmith
- Financial Services
- Hospital
- Laundry/Dry Cleaning Services
- Offices – Business or Professional
- Offices – Medical
- Personal Services
- Professional Support Services
- Repair & Maintenance Services – On-site
- Repair & Maintenance Services – Off-site
- Research & Development

For example, “Offices – Medical” is a proposed use which would incorporate three other existing uses: “Clinic – dental”, “Clinic – medical”, and “Laboratory – X-ray, treatment, or clinic”. These would all continue to be permitted uses, with only minor zoning changes that are consistent with the land use categories designated in the General Plan and the BMC Zoning Map.

Additionally, staff is proposing to rename “Auction – in c.e.b.” as “Auction House” and move it from the Professional Offices and Services category to the Recreation, Education and Assembly category. Staff is also proposing to allow the existing “Taxidermist” use to be permitted by-right in the M-1, M-2, and BCC-2 zones, since existing businesses are located in those zones and have not been detrimental to those neighborhoods.

Medical and Care

In the process of reviewing the Zoning Use List, staff realized that all of the uses within the Medical and Care category could be considered to be professional services, since there were other similar, medically-related uses already present in the Professional Offices and Services category. Therefore, all of the uses that were listed under the Medical and Care category have been consolidated within the Professional Offices and Services category.

Media Services

The Media Services category contains a broad range of media-related business types, ranging from production studios to film storage services. Staff determined that there were a large number of uses with similar functions and land use impacts in this category, and therefore a number of opportunities for consolidating uses. The proposed uses to be created are:

- Studio – Broadcasting, Recording, or Rehearsal
- Studio – Motion Picture
- Post-Production Services

For example, “Studio – Broadcasting, recording, or rehearsal” is a proposed use which would incorporate two existing uses: “Studio – broadcasting or recording” and “Studio – rehearsal – no recording equipment”. The land use impacts that both of these uses could be expected to generate are similar, and the proposed zoning changes would remain consistent with the land use categories designated in the General Plan, the BMC Zoning Map, and the spirit and intent of the Media District Specific Plan.

Industrial and Manufacturing

The Industrial and Manufacturing category contains industrial uses ranging from warehousing and storage uses to heavy manufacturing. This category was already consolidated through a ZTA in 2011, which reduced the number of industrial uses from 127 to 15. After reviewing the uses within the Zoning Use List, staff noted one existing use, “Truck rental – including tractor and trailer”, which should have been consolidated during the last ZTA. This use was originally placed in the Vehicle Related category of the Zoning Use List.

After further research, staff determined that establishments that rented tractor-trailer trucks would be more suited to the “Heavy equipment rental” use in the Industrial and Manufacturing category since it contains similar uses related to the rental of construction equipment. Additionally, “Heavy equipment rental” is proposed to be renamed “Equipment rental – Heavy” to be more consistent with other use names. The proposed zoning changes for this use would remain consistent with the land use categories designated in the General Plan and the BMC Zoning Map.

Additionally, staff is proposing to rename “Equipment rental – light, no trucks” as “Equipment rental - Light” and allow it to be permitted by-right in the M-1 and M-2 Industrial zones, however the use would require a CUP if residentially adjacent.

Transportation and Communication

The Transportation and Communication category contains uses ranging from transit facilities to wireless telecommunications facilities. After reviewing existing uses within this category and the Industrial and Manufacturing category, staff noted three uses which may be consolidated. The proposed use to be created is:

- Freight Terminal/Yard

The proposed “Freight Terminal/Yard” use would combine three existing uses, “Freight terminal or yard”, “Trucking yard or terminal”, and “Moving van & storage yard”. The zoning for these uses is nearly identical, and the land use impacts associated with both uses is also expected to be nearly identical. These uses would continue to be permitted with only minor zoning changes that are consistent with the land use categories designated in the General Plan and the BMC Zoning Map.

Vehicle Related

The Vehicle Related category consists of businesses that provide a wide array of vehicular services and employment. While reviewing the existing uses, staff noted a number of opportunities for consolidation. The proposed uses to be created are:

- Vehicle Service & Repair
- Vehicle Rental
- Vehicle Dealer – New and Used

For example, “Vehicle Rental” is a proposed use which would incorporate two existing uses: “Automobile rental” and “Truck rental – except tractor and trailer”. The land use impacts for both types of uses are expected to be similar and the proposed zoning changes are consistent with the land use categories designated in the General Plan and the BMC Zoning Map.

Proposed Definitions:

Many of the existing uses in the Zoning Use List are undefined in the BMC, which has made it difficult for staff to determine the differences between similar-sounding uses. Staff has attempted to craft definitions that account for the consolidated uses and are broad enough to allow for similar types of businesses that may wish to locate in Burbank in the future (Exhibit F).

Only a few uses are proposed to be eliminated, most of which can be accounted for by another use on the Zoning Use List. For example, in the Vehicle Related category, there is an existing “Automobile wrecking yard” use. After researching this type of use, staff concluded that a wrecking yard was functionally similar to a junkyard, which is an existing use in the Industrial and Manufacturing Category.

However, some uses cannot easily be accounted for by another use. An example from the Professional Offices and Services category is “Ticket agency – incidental use only.” This use is proposed to be removed from the Zoning Use List since it was clearly meant to be incidental to

some other primary use, but without a definition provided in the BMC to indicate what it would be incidental to, it is unclear what the purpose of this use is.

Relocation of Footnotes:

The footnotes that appear on the existing Zoning Use List are currently spread out over a number of pages and can be found at the bottom of each page (Exhibit A). During the process of consolidating uses, staff believed that it would be easier to find and read the footnotes if they were all in one location. Therefore, the footnotes have all been relocated to the last page of the Zoning Use List, as indicated in Exhibits C and D.

Changes to Zoning:

In some cases, a use that was not permitted in a zone may now be allowed, either by-right or with a CUP, as a result of consolidating uses into broader categories. Requiring a CUP for some uses would allow for discretionary review of the business, for conditions to be attached by the Planning Board, and for the application to be appealed to the City Council. Given the limited number of currently permitted uses that would now require a CUP, staff believes that the additional financial and time costs associated with the CUP process would not affect most businesses or result in an excessive burden.

In a few cases, uses that are currently allowed in some zones would now be prohibited. Again, given the limited number of uses affected and the limited geographic area of the affected zones, staff believes the effect of these changes to be minimal, and that any proposed zoning changes to specific uses are consistent with the land use categories as designated in the General Plan and the BMC Zoning Map.

The Zoning Use List contains many inconsistencies in its current form. One example of inconsistency with the BMC is the existing “Residential only (pursuant to the Burbank Center Plan)” use, which the Zoning Use List identifies as permitted by-right in the BCC-3 zone. However, the Burbank Center Plan specifies that residential uses in this area should be permitted with a CUP, not by-right.

An example of inconsistency between similar uses is “Automobile body or fender repair – in c.e.b.”, which is currently prohibited if residentially-adjacent in the C-3, C-4, M-1, M-2, BCCM, AP, and RR zones. However, similar auto repair uses, such as “Automobile detailing”, “Automobile painting – in c.e.b.”, and “Automobile repair garage – in c.e.b.” are allowed in these same zones with a CUP if residentially-adjacent. It is common to find automotive repair garages that also provide a combination of auto painting or auto body or fender repair services, but if such a business is proposed and is residentially-adjacent, staff must tell applicants that the body or fender repair part of their business is prohibited, even though the rest of the uses would be allowed with a CUP. This is often discouraging for businesses that offer multiple services. Staff believes that automobile body shops, detailing businesses, painting businesses and repair garages all have similar land use impacts and that the zoning for these uses should reflect these similarities.

Council-Directed Outreach:

At the direction of the City Council, staff contacted the Magnolia Park Community Advisory Committee, the Downtown Burbank Property-Based Improvement District (P-BID), the Burbank Chamber of Commerce, the Burbank Association of Realtors, and the Rancho Review Board via email, provided them with copies of the proposed Zoning Use List and definitions, and asked representatives from these areas to review the documents and provide feedback and suggestions.

Staff met with the Burbank Chamber of Commerce and Burbank Association of Realtors on separate occasions in order to get their perspective on the proposed modifications. Two members of the Rancho Review Board provided their comments to staff via email. No responses were received from the Magnolia Park Community Advisory Committee or the Downtown Burbank P-BID. Correspondence regarding the Zoning Use List has been provided as Exhibit G. The following is a summary of the comments received and staff's response:

Burbank Chamber of Commerce:

At the Chamber's request, staff extended the outreach period for this project twice in order to allow for more review time, and met with the Chamber of Commerce on two occasions for discussion and feedback. On March 26th, staff received a letter from the Chamber which summarized their recommendations and concerns. The letter also cited four specific examples of existing residentially-adjacent businesses that the Chamber believed would be affected by the proposed ZTA. However in most of the examples, the core issues are related to either current zoning requirements or grandfathering rights, which is beyond the scope of the proposed ZTA. The Chamber's letter can be found as part of Exhibit G.

The Chamber's primary concern was that the Zoning Use List would become more restrictive by requiring CUPs for businesses that previously did not require them, and would impose additional time and expenses to the business community. Staff believes that cases where uses would now require a CUP, either outright or if residentially-adjacent, are consistent with other similar uses and reflect the intent of the zones where they are proposed. Additionally, staff rarely receives inquiries for the majority of uses that would now require a CUP.

Examples of currently permitted uses that would now require a CUP if residentially-adjacent include:

- | | |
|---------------------------------------|--------------------|
| ▪ Appliance repair – incidental sales | ▪ Boat dealer |
| ▪ Auction – in c.e.b. | ▪ Fix-it shop |
| ▪ Blueprinting | ▪ Plumbing service |

Examples of currently permitted uses that would now require a CUP, regardless of being residentially-adjacent or not, include:

- | | |
|--|--|
| ▪ Electric or electronic equipment or appliances repair – incidental sales | ▪ Racquetball courts |
| ▪ Golf course - miniature | ▪ Skating rink – ice or roller – in c.e.b. |
| | ▪ Swimming pool - commercial |

In light of the Chamber's concerns, namely that the CUP process is too expensive and time consuming, staff explored the idea of requiring an Administrative Use Permit (AUP) for residentially-adjacent uses rather than a CUP. The findings for approval and public noticing requirements are the same for an AUP as they are for a CUP. Additionally, the fee for an AUP (\$1,060) is substantially less than the CUP fee (\$1,860). AUP applications can be processed more quickly than CUP applications since the decision to approve or deny is made at the staff level. However, staff's decision can always be appealed by residents or an applicant to the Planning Board and City Council. This option was reviewed by the Planning Board as a separate ZTA at their meeting of April 9th, 2012, and will be presented to the City Council for their consideration on May 8th.

The Chamber also expressed a desire to postpone revisions to the Zoning Use List for approximately one to two years, due to the current economic climate, explaining that zoning changes at this time would be detrimental to businesses and should wait until the economy recovers. Staff believes that the proposed reorganization makes the Zoning Use List easier for the public to read, search through, and interpret, and would help local business owners and entrepreneurs find suitable locations more easily. Staff believes that making the Zoning Use List easier to understand could also stimulate local economic activity and, in anticipation of improving economic conditions, make the City more competitive while still protecting the rights and concerns of residents.

Burbank Association of Realtors:

Staff met separately with the Association's Board of Directors as well as the general membership to provide an overview of the proposed Zoning Use List, receive input, and answer any questions. Some concerns were raised regarding the number of businesses that would now require a CUP as a result of the proposed update and the cost to business owners.

Staff explained that the majority of changes involving a CUP were related to residentially-adjacent businesses, and that these changes were consistent with similar uses in those zones as well as the intent of each zone. Staff also explained that Burbank's CUP fees were low in comparison to the majority of neighboring cities (Exhibit H).

Rancho Review Board:

The members of the Rancho Review Board were provided with copies of the proposed Zoning Use List and definitions for their review via email. Staff received written responses from two Board members stating that they would not review changes to the Zoning Use List, and stated their opposition to the proposal because it would affect zones within the Rancho Master Plan.

Both Board members felt that zoning related to specific plans should be reviewed and updated periodically, but as a separate process and not in conjunction with an overall update to the Zoning Use List, and asserted that a separate review process for these zones was necessary due to the uniqueness of these areas. Staff reviewed and referred to all applicable specific plans as part of this process, including both the Rancho Master Plan and the un-adopted draft Rancho Commercial Recreation Master Plan, in an attempt to maintain the spirit and intent of those plans while improving overall consistency with the Zoning Code and the General Plan.

An example of staff's desire to consolidate uses while maintaining the intent of the Rancho Master Plan can be found in the Media Services category. The existing "Studio – rehearsal – no recording equipment" use is currently not permitted in the Rancho Business Park zone. However, the Rancho Master Plan clearly specifies that rehearsal studios should be permitted in that zone.

Staff determined that "Studio – rehearsal – no recording equipment" could be consolidated with another similar media use, "Studio – broadcasting or recording", which is already permitted in this zone and which has similar overall land use impacts. Staff believes that this change would make the Zoning Use List more consistent with the land use policies that are defined in the Rancho Master Plan.

Environmental Review:

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15305, pertaining to minor alterations in land use limitations.

Council Goals:

The ZTA furthers the Council's goals of Economic Development and Communication, Transparency, and Community Engagement for Fiscal Year 2011-12 by simplifying the Zoning Use List and by adding definitions to clarify the meaning of uses, both of which are intended to make the Zoning Use List easier for the public to understand and use.

PLANNING BOARD CONSIDERATION:

The Planning Board considered the proposed ZTA at a public hearing on April 9, 2012, recommended it for approval by a vote of 4-1, and commended staff's desire to make the planning process simpler in order to better serve the public (Exhibit I). Board members inquired about residentially-adjacent businesses and their potential impact on neighborhoods as a result of the proposed ZTA. Staff explained that the majority of residentially-adjacent businesses would continue to require a CUP in order to provide additional protection for residents, as has been the case for a number of years. Staff also explained that the proposed ZTA would not change the definition of "residentially-adjacent". The dissenting Board member was concerned about uses that currently require a CUP in some zones which are now proposed to be permitted by-right, and believed that such uses should continue to require a CUP (Exhibit J).

FISCAL IMPACT:

The fiscal impact of the proposed ZTA would be negligible. Some uses would now require a CUP that previously did not, and vice-versa. However, since the amount and type of uses affected by these changes is small, the costs associated with these changes would effectively balance each other out. The amount of staff time needed to research a proposed use would decrease, since the Zoning Use List would be much easier to search through and uses will be more clearly defined, resulting in a more efficient application process. Well-articulated definitions would also reduce the amount of staff time and resources needed to make interpretations about where a proposed use would be permitted.

REQUIRED FINDINGS:

The BMC requires specific findings to be made to add a use to a list of permitted uses:

The addition of the use will be in accord with the purposes of the zone in which it is proposed to be listed.

As part of this ZTA, new uses are intended to consolidate existing uses within the BMC. All uses that are proposed to be consolidated are consistent with the intent of the zones that they are proposed to be added to. In some cases, a use that was not permitted in certain zones may now be allowed by-right or with a CUP or vice-versa, however no uses are proposed which would be incompatible with the zone(s) they are proposed to be in.

The proposed use is compatible with and has the same basic characteristics as other permitted uses.

The proposed uses consolidate existing uses in the BMC which have similar zoning and potential land use impacts. All proposed uses are compatible with the zones they are proposed in and are characteristically similar to other permitted uses in their respective categories of the Zoning Use List.

The proposed use can be expected to conform with the required conditions for the zone.

The proposed uses will be expected to conform to the required conditions of those zones where they are allowed or conditionally allowed. The proposed uses consolidate existing uses in the BMC that are presently required to conform to applicable required conditions for the zone.

The proposed use will not be detrimental to the public health, safety, or welfare.

The proposed uses are intended to consolidate existing uses in the BMC that have similar zoning and potential land use impacts. As such, the proposed uses will not be detrimental to the public health, safety, or welfare.

The proposed use will not adversely affect the character of the zone.

As part of this ZTA, new definitions are intended to consolidate existing uses in the BMC, and all uses proposed to be consolidated are consistent with the intent and character of the zones they are proposed to be added to. In some cases, a use that was not permitted in certain zones may now be allowed by-right or with a CUP, or vice-versa. No uses are proposed which would be incompatible with the zone(s) they are proposed to be in.

The proposed use will not create more vehicular or other traffic than the volume normally created by any of the uses permitted.

The proposed uses would not cause more vehicular or other traffic than the volume normally created by any of the uses permitted. The proposed uses consolidate existing uses in the BMC having similar zoning and potential land use impacts. As such, the proposed uses will not create

more vehicular or other traffic. Development occurring pursuant to the proposed ZTA would be subject to BMC requirements and may additionally be subject to environmental analysis pursuant to CEQA where environmental impacts may be mitigated as deemed appropriate.

The proposed use will not create more odor, dust, dirt, smoke, noise, vibration, illumination, glare, unsightliness, or any other objectionable influence than the amount, if any, normally created by any of the permitted uses.

The proposed uses would not create more odor, dust, dirt, smoke, noise, vibration, illumination, glare, unsightliness, or any other objectionable influence than the amounts normally created by any of the other permitted uses in those zones. Any development occurring pursuant to the proposed ZTA would be subject to BMC requirements and may additionally be subject to environmental analysis pursuant to CEQA where environmental impacts may be mitigated as deemed appropriate.

The proposed use will not create any greater hazard of fire or explosion than the hazards normally created by any of the permitted uses.

The proposed uses are intended to consolidate existing uses in the BMC that have similar zoning and potential land use impacts. As such, the proposed uses will not create any greater fire or explosion hazards than are normally created by any of the uses to be consolidated as part of the ZTA. Development occurring pursuant to the proposed ZTA would be subject to BMC requirements and may additionally be subject to environmental analysis pursuant to CEQA where environmental impacts may be mitigated as deemed appropriate.

The proposed use will not cause substantial injury to the values of the property in the zone in which it is proposed to be listed or in any abutting zone.

Some uses which are currently permitted by-right may now require a CUP or not be permitted as part of this ZTA; however, given that staff rarely receives inquiries about the majority of these uses, staff believes this effect to be minimal and that no substantial injury would be caused to property values in the affected zones or elsewhere in the city as a result of the proposed ZTA.

CONCLUSION:

In 2010, the Planning & Transportation Division initiated a reorganization of the Zoning Use List, beginning with classifying the uses into categories, and then by updating the Industrial and Manufacturing category. The proposed ZTA would conclude this project by consolidating, simplifying, and clearly defining uses throughout the Zoning Use List. Staff believes that the proposed ZTA represents an important step towards improving the daily operations of the Planning & Transportation Division by implementing a more efficient, intuitive, and user-friendly way for the public to understand and use the Zoning Use List.

RECOMMENDATION:

Staff recommends that the City Council introduce the proposed ordinance approving Project No. 12-0000482, a Zone Text Amendment to comprehensively update the Zoning Use List in Burbank Municipal Code Section 10-1-502 and the definitions in Section 10-1-203.

List of Exhibits	
Exhibit	Title
A	Existing Zoning Use List (BMC Section 10-1-502)
B	"Bid to Ease the Squeeze on Business" – Wall Street Journal, April 4 th , 2012
C	Proposed Consolidation of uses
D	Proposed Zoning Use List (BMC Section 10-1-502)
E	Table of Proposed Zoning Changes
F	Proposed Definitions (BMC Section 10-1-203)
G	Correspondence regarding the Zoning Use List
H	Comparison of Conditional Use Permit fees for Burbank and other cities
I	Planning Board Resolution #3526
J	Draft Planning Board Minutes – April 9 th , 2012